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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,739	02/18/2004	Abhishek Chauhan	2006579-0556	1672
	7590	EXAMINER		
TWO INTERNATIONAL PLACE			LANIER, BENJAMIN E	
BOSTON, MA 02110			ART UNIT	PAPER NUMBER
			2132	
			MAIL DATE	DELIVERY MODE
			07/29/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/782,739	CHAUHAN ET AL.	
Examiner	Art Unit	

	BENJAMIN E. LANIER	2132	
The MAILING DATE of this communication appe	ars on the cover sheet with the o	correspondence add	ress
THE REPLY FILED <u>17 July 2008</u> FAILS TO PLACE THIS APPL		-	
1. The reply was filed after a final rejection, but prior to or on application, applicant must timely file one of the following application in condition for allowance; (2) a Notice of Appelication (RCE) in compliance with 37 Comperiods:	the same day as filing a Notice of a replies: (1) an amendment, affidavi eal (with appeal fee) in compliance	Appeal. To avoid abar t, or other evidence, w with 37 CFR 41.31; or	hich places the (3) a Request
a) The period for reply expires <u>3</u> months from the mailing date	of the final rejection.		
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire to Examiner Note: If box 1 is checked, check either box (a) or (MONTHS OF THE FINAL REJECTION. See MPEP 706.07(1)	ater than SIX MONTHS from the mailing b). ONLY CHECK BOX (b) WHEN THE f).	g date of the final rejection FIRST REPLY WAS FII	on. LED WITHIN TWO
Extensions of time may be obtained under 37 CFR 1.136(a). The date whave been filed is the date for purposes of determining the period of extunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL	ension and the corresponding amount on the hortened statutory period for reply origing than three months after the mailing date.	of the fee. The appropria nally set in the final Offic	ate extension fee e action; or (2) as
 The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exter Notice of Appeal has been filed, any reply must be filed with AMENDMENTS 	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of the	
3. X The proposed amendment(s) filed after a final rejection, b	out prior to the date of filing a brief	will not be entered be	cauco
(a) ☐ They raise new issues that would require further cor (b) ☐ They raise the issue of new matter (see NOTE below	nsideration and/or search (see NO		cause
(c) They are not deemed to place the application in bet appeal; and/or	•	ducing or simplifying tl	ne issues for
(d) They present additional claims without canceling a c	corresponding number of finally reje	ected claims.	
NOTE: amendments made to claim 32, and new c	<u>laim 45</u> . (See 37 CFR 1.116 and 4	1.33(a)).	
4. 🔲 The amendments are not in compliance with 37 CFR 1.12		mpliant Amendment (l	PTOL-324).
5. Applicant's reply has overcome the following rejection(s):			
6. Newly proposed or amended claim(s) would be all non-allowable claim(s).	·	•	_
7. For purposes of appeal, the proposed amendment(s): a) [how the new or amended claims would be rejected is prove The status of the claim(s) is (or will be) as follows:		I be entered and an ex	xplanation of
Claim(s) allowed: Claim(s) objected to:			
Claim(s) rejected:			
Claim(s) withdrawn from consideration:			
AFFIDAVIT OR OTHER EVIDENCE			
 The affidavit or other evidence filed after a final action, bu because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e). 			
 The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessary 	vercome <u>all</u> rejections under appea	al and/or appellant fail:	s to provide a
10. ☐ The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER	n of the status of the claims after er	ntry is below or attach	ed.
 The request for reconsideration has been considered but See Continuation Sheet. 	t does NOT place the application in	condition for allowan	ce because:
12. ☐ Note the attached Information <i>Disclosure Statement</i>(s). (13. ☐ Other:	PTO/SB/08) Paper No(s)		
	/Benjamin E Lanier/ Primary Examiner, Art U	Init 2132	

Continuation of 11. does NOT place the application in condition for allowance because: In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); In re Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).